

REMARKS

Explanation of Claim Amendments:

Claims 3, 22, 24, and 35 have been canceled.

Claims 1, 7, 28, and 36 have been amended to include the features of claim 3.

Claim 12 has been amended to make a clarification in the preamble.

Claims 13, 15, 31, and 38 have been amended to recite that the timer is initiated upon receipt of a reply from the server and the timeout period is measured until another request is received from the application program.

Claims 16 and 31 have been amended to provide proper antecedent basis for “the timer value” and “the server,” respectively.

Claims 19, 33, and 39 have been amended to include the features of claims 22 and 24 and part of claim 23. Claim 23 has been amended accordingly and claim 25 has been amended to depend from claim 19.

Section 112, Second Paragraph, Rejection:

In the Official Action, claims 16 and 31 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for lacking antecedent basis for “the timer value” in claim 16 and “the server” in claim 31. These claims have been amended to provide proper antecedent basis, thereby overcoming the rejection. Withdrawal of the rejection of claims 16 and 31 under 35 U.S.C. §112, second paragraph, is respectfully solicited.

Section 102 Rejections:

In the Official Action, claims 1, 2, 5-9, 11, 19-23, 26-29, 33-36, and 39 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Chorn (US 6,275,843); claims 12, 30, and 37 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Bergadano (US 6,574,627); and claims 15-18, 31, 32, and 38 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by RFC 793 DARPA Transport Control Protocol (September 1981).

As noted above, independent claims 1, 7, 28, and 36 have been amended to include the features of claim 3, thereby obviating the rejection over Chorn with respect to these claims.

As also noted above, independent claims 19, 33, and 39 have been amended to include the features of claim 24, thereby obviating the rejection over Chorn with respect to these claims.

Claims 12, 30, and 37 are believed to distinguish over Bergadano et al. in that Bergadano does NOT teach the steps of sending a message to a first server, receiving a reply from the first server in response to the message, the reply including a redirect request that indicates that a second server is a correct destination for the message, and sending the message to the second server *without involving the application program*. While Bergadano et al. teach redirecting a client to an audit server in response to a redirect request from the application server, Bergadano et al. involve the application program in the redirection. As illustrated in Figure 3B and described at column 7, lines 39-52, the *client* connects to the audit server in response to a redirect request from the application server. The Examiner has not indicated where Bergadano et al. teach that the client has an application interface that allows such a connection to be made without involving the application program. On the contrary, Applicant submits that Bergadano et al. teach directly away from the claimed feature whereby the redirection occurs without involvement of the application program. Withdrawal of the rejection of claims 12, 30, and 37 over Bergadano et al. is thus solicited.

Claims 15, 31, and 38, as amended, are believed to distinguish over the description of transmission control protocol in RFC 793 in that the references in this article to a “timeout period” refer to the allocated time period for the establishment of a connection with the destination before the connection attempt is aborted. In particular, if the data is not successfully delivered from the source to the destination within the timeout period, the connection is aborted. In contrast, the invention of claims 15, 31, and 38 recites that the timeout period relates to the time between requests to send messages from the application program to the server. This feature of the invention provides the “semi-connectionless protocol” technique of the invention whereby a connection is kept open so long as the application program continues to send messages. The Examiner has not indicated where RFC 793 teaches such a “semi-connectionless protocol” as claimed. In the absence of such teachings, withdrawal of the rejection of claims 15, 31, and 38 over RFC 793 is solicited.

Section 103 Rejections:

Claim 3 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Chorn in view of RFC 793; claim 4 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Chorn in view of Bergadano; claim 10 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Chorn in view of Valiant (US 5,608,870); claim 13 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Bergadano in view of RFC 793; claim 14 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Bergadano; and, finally, claims 24 and 25 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over Chorn. These obviousness rejections are respectfully traversed for the reasons given below.

As noted above, the features of claim 3 have been added to independent claims 1, 7, 28, and 36 and can also be found in independent claims 15, 31 and 38. As noted above with respect to claims 15, 31, and 38, RFC 793 does not teach the “semi-connectionless protocol” feature of these claims. Applicant can find no such teachings in Chorn either. Accordingly, even if the teachings of Chorn and RFC 793 could be combined as the Examiner proposes whereby TCP/IP is used in the system of Chorn, the resulting system would not implement a “semi-connectionless protocol” as claimed. In the absence of such teachings, independent claims 1, 7, 15, 28, 31, 36, and 38, and all claims dependent thereon, are believed to be allowable over the art of record. Withdrawal of the rejections of these claims is solicited.

Applicant submits that nothing in the teachings of RFC 793 overcomes the shortcomings in the teachings of Bergadano et al. noted above with respect to independent claims 12, 30, and 37. Accordingly, independent claims 12, 30, and 37, and all claims dependent thereon, are also believed to be allowable over the art of record. Withdrawal of the rejections of these claims is also solicited.

Finally, in the Examiner’s comments with respect to claim 24 (the features of which have now been added to independent claims 19, 33, and 39), the Examiner acknowledged that Chorn does not teach the claimed steps of reserving a database connection and mapping the transaction identifier to the new connection as claimed. Without pointing to any support in the teachings of Chorn, the Examiner alleged that such features would have been obvious to one skilled in the art. Applicant submits that there is no basis in the teachings of Chorn for

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the position taken by the Examiner. In particular, Applicant can find no suggestions in Chorn regarding the following added features of independent claims 19, 33, and 39:

reserving a database connection for the transaction between the server
and a database corresponding to the transaction;
determining whether a free connection to the database is available;
if the free connection is not available, opening a new connection to the
database; and
reserving the database connection by mapping the transaction identifier
to the new connection.

In the absence of such teachings in Chorn, Applicant submits that a rejection of claims 19, 33, or 39 over Chorn would be improper as unsupported by the teachings of Chorn or reasonably suggested to one skilled in the art. Accordingly, Applicant submits that independent claims 19, 33, and 39, and all claims dependent thereon, are allowable over the art of record. Withdrawal of the rejections of these claims is solicited.

Conclusion:

Entry of the above amendments in view of the above remarks is believed to place the present application in condition for allowance. A Notice of Allowability is respectfully solicited.

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